

REMARKS

Claims 11-22 were pending in the application. Claims 18-22 have been withdrawn. No claims have been canceled, amended, or added. Therefore, claims 11-22 remain pending and are resubmitted for consideration.

Non-Final Office Action

Applicants' representative appreciates the courtesy extended by the Examiner during the telephone conference on November 14, 2008, during which it was discussed whether the present Office Action (mailed October 31, 2008) was intended to be made final. The Examiner stated that the check-marked status of "Final" on the Office Action Summary page was a typographical error, and the Office Action was intended to be non-final.

Rejection under 35 U.S.C. § 112, First Paragraph

Claims 11-17 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The Examiner contends that the claims are not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. It appears that the Examiner's rejection relates to the phrase "while the first element moves in the predetermined direction, at a desired position moving the second element relative to the first element in a direction opposite to the predetermined direction to cause the second element to be stationary relative to the desired position" recited in claim 11. In particular, the Examiner contends that the specification does not clarify by what means or method the first and second elements move, or how the first and second elements are interrelated.

The rejection should be withdrawn for at least the following reasons.

With regard to means for moving the first and second elements, the original disclosure makes clear that embodiments of the claimed invention can include a first element (e.g., guides 7, 8) and a second element (e.g., guide 13) with structures for moving them. *See, e.g.*, Application at ¶ [0027] and ¶ [0031]. For example, in connection with Figure 1, the original disclosure states that an embodiment of the first element (e.g., guides 7, 8) comprises a motor

by which the guides 7, 8 can move over guide rails 4, 5. *See* Application at ¶ [0027]. As a further example, in connection with Figures 2 and 3, the original disclosure makes clear that, in an embodiment, the first element (e.g., guide 7) interfaces with the guide rail 4 through circular roller elements (not numbered), which would be understood to signify structure for movement therebetween. The original disclosure also makes clear that, in an embodiment, the second element (e.g., guide 13) can move over a guide rail 14. *See* Application at ¶ [0031]. The specification states that the second element (e.g., guide 13) can be moved by “means of a regulator in the direction indicated by arrow P₅.” Application at ¶ [0033]. In connection with Figures 2 and 3, the original disclosure makes clear that, in an embodiment, there are circular roller elements (not numbered) at the interface between the second element (e.g., guide 13) and guide rail 14, which would be understood to signify structure for movement therebetween. The specific structure required to cause movement of the first element and the second element would be well understood and readily implemented by a person of ordinary skill in the art based on the disclosure provided in the application.

With regard to the relationship between the first and second elements, Applicants respectfully submit that the original disclosure provides clarity on this issue. For example, in an embodiment of the invention, the original disclosure makes clear that the first element (e.g., guide 7) can be moved in the direction indicated by arrow P₂, which will cause the connected second element (e.g., guide 13) to move in direction P₂ along with the first element. *See* Application at ¶ [0031] and ¶ [0033]. The original disclosure further makes clear that, in an embodiment of the invention, the second element (e.g., guide 13) can be moved in a direction P₅ that is opposite to the direction P₂. *See* Application at ¶ [0031]. As shown by these examples, the relationship between the first and second elements has been properly disclosed.

Therefore, the rejection under 35 U.S.C. § 112, first paragraph, is improper. Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 11-17 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. It appears that the Examiner's rejection relates to the phrase "while the first element moves in the predetermined direction, at a desired position moving the second element relative to the first element in a direction opposite to the predetermined direction to cause the second element to be stationary relative to the desired position" as recited in claim 11. The Examiner states that it is unclear how the second element is stationary and moving at the same time.

The rejection should be withdrawn for at least the following reasons. The original disclosure makes clear that, according to an embodiment of the invention, first element (e.g., guide 7) can be moved in the direction indicated by arrow P_2 , which will cause the connected second element (e.g., guide 13) to move in direction P_2 along with the first element. *See* Application at ¶ [0031] and ¶ [0033]. The original disclosure further makes clear that, in an embodiment of the invention, the second element (e.g., guide 13) can be subsequently moved in a direction P_5 , which is opposite to the direction P_2 , while the first element (e.g., guide 7) continues to move in the direction P_2 . *See* Application at ¶ [0031] and ¶ [0033]. In this embodiment, the simultaneous movement of the first element (e.g., guide 7) in the direction P_2 and the second element (e.g., guide 13) in the opposite direction P_5 has the resulting net effect that the second element is stationary relative to the substrate 3 (while moving in the direction P_5 relative to the first element). *See* Application at ¶ [0033].

Therefore, the rejection under 35 U.S.C. § 112, second paragraph, is improper. Applicants respectfully request reconsideration and withdrawal of the rejection.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is believed that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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